UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

THE FRANCE STONE COMPANY, INC. an Ohio Corporation,	CASE NO. 90-CV-73409-DT
·	HON. TERRENCE G. BERG
Plaintiff, vs.	FIFTH AMENDED JUDGMENT
CHARTER TOWNSHIP OF MONROE, a Michigan Municipal Corporation,	
Defendant.	

FIFTH AMENDED JUDGMENT

The Court, having entered an Opinion and Judgment, each dated August 31, 1992, and having entered Amended Orders and Judgments thereafter (collectively, "Judgment"), and the Court having retained jurisdiction in order to enforce the Judgment related to the regulation of the quarry extraction now operated by the successor to Plaintiff, Michigan Materials and Aggregates Company ("MMAC"); and

The parties have represented to the Court that they have agreed to a further amendment to the Judgment and that the proposed amendment would be in the mutual interest of both Plaintiff and Defendant; and

The Court has determined that the provisions of this Fifth Amended Judgment are consistent with the Judgment and are in the public interest; and

The Court, being fully advised in the premises, states,

IT IS ORDERED, DECREED, AND ADJUDGED AS FOLLOWS:

1. <u>Additional Land</u>. Plaintiff has purchased additional land as identified in Exhibit 1 hereto and incorporated herein ("Additional Land"), which Additional Land is hereby included in and subject to the Judgment, subject further to this Fifth Amended Judgment.

Dated: December 10, 2020

/s/Terrence G. Berg

TERRENCE G. BERG

UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM AND SUBSTANCE:

/s/ Richard Becker

Name/Title: Richard Becker, President
Michigan Materials and Aggregates Company
15203 South Telegraph Road
Monroe, Michigan 48161

/s/ Christina Smith

/s/ Alan Barron

Christina Smith, Clerk Monroe Charter Township

Alan Barron, Supervisor Monroe Charter Township

/s/ Jeffrey S. Osment

Jeffrey S. Osment (P 45403) Attorney for MMAC 23 Washington Street Monroe, Michigan 48161 (734) 242-0808

/s/ Patricia A. McCormick

Patricia A. McCormick (P 55307) Attorney, Monroe Charter Twp.

Address for all: 4925 East Dunbar Road Monroe, MI 48161

EXHIBIT 1

The name of the control of the contr C/L ALBAIN RD. 0 P. COR. AFFINE COR. 0 7 00 A SYLDONYA NENCE COR.
31.45° E. 46
0.05° N.
00° P. COR.
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20.45° M.
20.45° M. CAST LING - 100 all 2 OF COLUMNS **75.52 ACRES** ADE E OF PA EAST LINES OF PC 335 -C/L DUNBAR RD. PARCEL DETAIL 10000g C/L DUNBAR RD. FUNCE POSTS LUICK 1110, PC. Patrick L. Hamanga, P.S. No. 37277 ghis, little interest or claim method to that portion of the land latest, used ot granted for street Volteseys. leror of Michigan Bell Telephone Company and the Covertacies, Conditions and tened in Institution Industrial in Ulaw 1120, page 174, (PLOTECD) reament in favor of Suequehanta Pipe Line Company and the Covertatio, hollows contelled in Instrument Instructed in Liber 200, page 245. DOST, WHAT POLE
COST, CHEMICA SHILTY LINE
POLE
FOUND HON PIPE
FOUN 17309 DATE 11/28/17 SMEET 1 OF E CUENT 4561 E. DUNBAR ROAD ALTA/NSPS LAND TITLE SURVEY OF A 75.52 ACRE PARCEL OF LAND LOCATED IN PART OF PRIVATE CLAWS 535 & 638, MONROE TOWNSHIP, MONROE COUNTY, MICHIGAN